

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Foreman Seeley Fountain Inc.,)	File No. EB-14-MD-010
)	
Complainant)	ECFS Proceeding No. 14-220
)	
v.)	
)	
tw telecom holdings inc.,)	
)	
Defendant)	

**MOTION FOR WITHDRAWAL AND VOLUNTARY DISMISSAL
OF FORMAL COMPLAINT WITH PREJUDICE**

Pursuant to Section 1.727(a) of the Commission's rules,¹ Foreman Seeley Fountain Inc. ("FSF") hereby submits this Motion for Withdrawal and Voluntary Dismissal of Formal Complaint with Prejudice ("Motion") in the above-captioned proceeding.

1. On September 5, 2014, FSF filed a formal complaint² against tw telecom holdings inc. ("TWTC") pursuant to Section 208 of the Communications Act of 1934, as amended ("Act").³ TWTC filed its Answer to the Complaint on October 14, 2014.⁴

¹ 47 C.F.R. § 1.727(a).

² See generally "Formal Complaint Against tw telecom," File No. EB-14-MD-010 (filed Sept. 5, 2014), as amended by "Formal Complaint of FSF Against tw telecom Amendment" (filed Sept. 11, 2014) (collectively, "Complaint").

³ 47 U.S.C. § 208.

⁴ Answer of tw telecom holdings inc., File No. EB-14-MD-010 (filed Oct. 14, 2014) ("Answer").

2. FSF respectfully withdraws the Complaint, and requests that the Bureau dismiss with prejudice the Complaint against TWTC because the parties have settled their dispute. Counsel for TWTC⁵ has reviewed this Motion and consents to FSF's request.

3. Withdrawal of the Complaint, and its dismissal with prejudice, will further the public interest by promoting the private resolution of disputes and by eliminating the need for further litigation and expenditure of additional time and resources by the parties as well as the Commission. Further, the Enforcement Bureau has the authority to grant this Motion pursuant to Sections 4(i), 4(j), and 208 of the Act⁶ and the authority delegated to it under Sections 0.111 and 0.311 of the Commission's rules.⁷ Accordingly, the Bureau should dismiss the Complaint with prejudice and terminate the above-captioned proceeding.

Respectfully submitted,



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January 20, 2015

⁵ Effective January 1, 2015, TWTC became tw telecom holdings, llc, which is a wholly-owned subsidiary of Level 3 Communications, Inc.

⁶ 47 U.S.C. §§ 154(i), 154(j), 208.

⁷ 47 C.F.R. §§ 0.111, 0.311.

CERTIFICATE OF SERVICE

I, Maureen Murphy, hereby certify that on this 20th day of January 2015, I caused to be served a true and correct copy of the foregoing Motion for Withdrawal and Voluntary Dismissal of Formal Complaint with Prejudice on the following:

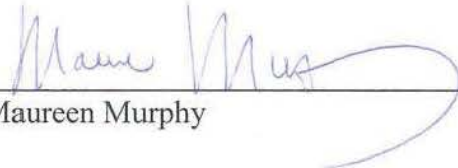
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Maureen Murphy